

Docket No.: 5271-0120PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hiroshi KASHINO et al.

Application No.: 10/537,169

Confirmation No.: 1116

Filed: June 1, 2005

Art Unit: 1795

For: ELECTRIC POWER GENERATING
ELEMENT FOR LIQUID FUEL CELL,
METHOD FOR PRODUCING THE SAME,
AND LIQUID FUEL CELL USING THE SAME

Examiner: B. P. Suitte

REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)

MS 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Madam:

I. REFUND REQUEST

This is a request for a refund with respect to the charge to Deposit Account 02-2448 shown on the statement for the month of December 2008 for the above-identified

application patent

A copy of the monthly statement in which the error referred to occurs, accompanies this request.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

	<u>AMOUNT OF REFUND REQUESTED</u>
<input checked="" type="checkbox"/> Information Disclosure Fee	<u>\$180.00</u>
TOTAL REFUND REQUESTED	<u>\$180.00</u>

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

This fee relates to documents filed by Applicants on December 4, 2008. One of these documents was an Amendment wherein Applicants requested a clear copy of three of the initialed PTO SB-08 forms which were attached to the Examiner's Office Action dated September 4, 2009, and did not contain the wording inserted by the Examiner "ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH" (see copies attached). Applicants were not submitting a new IDS with new references, but were merely clarifying the Examiner's statement made on forms which were previously submitted.

IV. MANNER OF REFUND

Please make refund by crediting Account No. 02-2448.

We respectfully request that the attached copy of this letter be returned to us with an indication that the credit has been processed.

Dated:

Respectfully submitted,

JUL 23 2009

By John W. Bailey #43575
John W. Bailey
Registration No.: 32,881
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Attachment(s)

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KOLASCH & BIRCH

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City: FALLS CHURCH

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Postal code: 22042

Country: UNITED STATES

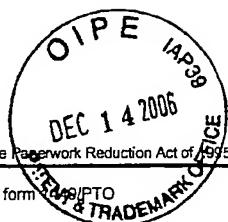
Telephone: 703-205-8090

Fax:

Balance Amount:

BIRCH, STEWART, KOLASCH & BIRCH, LLI
Dec 2008 Deposit Account Reconciliation

Date	Reference No.	Docket Number	Fee Code	BSKB Code	Fee
22-Dec	10537169	5271-0120PUS1	1806	DIDS	\$180.00



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PTO/SB/08A/B (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form PTO-1440/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/537,169-Conf. #1116
				Filing Date	June 1, 2005
				First Named Inventor	Hiroshi KASHINO
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	5271-0120PUS1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
AA*	US-5,702,755-A	12-30-1997	Mussell		
AB*	US-5,882,810-A	03-16-1999	Mussell et al.		
AC*	US-6,312,845-B1	11-06-2001	Scorticini et al.		
AD*	US-5,766,788-A	06-16-1998	Inoue et al.		

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /B.S./

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
BA	JP-9-92293-A	04-04-1997			✓
BB	JP-2001-185158-A	07-06-2001			
BC	JP-8-227715-A	09-03-1996			
BD	JP-2003-86192-A	03-20-2003	PT	PT WHERE LINED THROUGH. /B.S./	✓
BE	JP-8-88007-A	04-02-1996			✓

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book; magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
CA		English Language Translation of Japan, publication number 9-92293, publication dated April 4, 1997.			
CB		English Language Translation of Japan, publication number 2000-353528, publication dated December 19, 2000.			
CC		English Language Translation of Japan, publication number 2003-86192, publication dated March 20, 2003.			
CD	A	English Language Translation of Japan, publication number 8-88007, publication dated April 2, 1996.			

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¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/B/PTO				Complete If Known	
				Application Number	10/537,169
				Filing Date	June 1, 2005
				First Named Inventor	Hiroshi Kashino
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	04558/095001

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
AA	US-2003/0143454	07-31-2003	Hatoh et al.		
AB	US-2003/0072991	04-17-2003	Matsubara et al.	Corresponds to JP2003-151564 UGH. /B.S./	

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Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
		Country Code ⁴ -Number ⁴ -Kind Code ⁵ (if known)				
BA	JP-2000-353528	12-19-2000	Toray Industries			
BB	JP-2001-202970	07-27-2001	Asahi Glass Co. Ltd.			
BC	JP-8-88007	04-02-1996	Matsushita Electrc Ind. Co. Ltd.			
BD	JP-2002-110202	04-12-2002	Asahi Glass Co. Ltd.			
BE	JP-2002-134120	05-10-2002	Sanyo Electric Co.			
BF	JP-2003-151564	05-23-2003	Honda Motor Co. Ltd.			

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NON PATENT LITERATURE DOCUMENTS					
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CA	Abstract of JP2000353528 published on December 19, 2000, supplied from the esp@cenet database, 1 page				
CB	Abstract of JO2001202970 published on July 27, 2001, supplied from the esp@cenet database, 1 page				
CC	Abstract of JP2002110202 published on April 12, 2002, supplied from the esp@cenet database, 1 page				
CD	Abstract of JP2002134120 published on May 10, 2002, supplied from the esp@cenet database, 1 page				
CE	Abstract of JP2003-151564 UGH. /B.S./				

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Examiner Signature 109395	/Bryant Suite/	Date Considered	08/29/2008
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Receipt date: 06/01/2005

10537169 - GAU: 1795

JC06 Rec'd PCT/PT 01 JUN 2005

PTO/SB/08a/b (08-03)

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Substitute for form 1449A/B/PTO				Complete If Known <i>7169</i>	
				Application Number	Not Yet Assigned
				Filing Date	Concurrently Herewith
				First Named Inventor	Hiroshi Kashino
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number 04558/095001	

U.S. PATENT DOCUMENTS					
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FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
BA	JP-2001-338651-A	12-07-2001	Sanyo Electric Co. Ltd.		
BB	JP-H09-092293-A	04-04-1997	Matsushita Electric Industrial Co., Ltd.		
BC	JP-2003-317742-A	11-07-2003	NEC Corp.		
BD	JP-2002-015743-A	01-18-2002	Asahi Glass Co. Ltd.		
BE	JP-H04-305249-A	10-28-1992	Matsushita Electric Ind. Co. Ltd.		
ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /B.S./					
BF	JP-2004-296435-A	10-21-2004	Toray Ind. Inc.		

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NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
CA	Patent Abstracts of Japan, publication number 2001-338651, publication date December 7, 2001.				
CB	Patent Abstracts of Japan, publication number 09-092293, publication date April 4, 1997.				
CC	Patent Abstracts of Japan, publication number 2003-317742, publication date November 7, 2003.				
CD	Patent Abstracts of Japan, publication number 2002-015743, publication date January 18, 2002.				
CE	Patent Abstracts of Japan, publication number H04-305249, publication date October 28, 1992				
CF	ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /B.S./	Patent Abstracts of Japan, publication number 2004-296435, publication date October 21, 2004.			

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